G. R. S. 58]

Previous references.

1895
~~191~~ .

File No. 241

Serial Nos. 1-8

Later references.

Land & Revenue

p-21

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—8

Part B for April 98

SUBJECT.

Claim of Muniappa to certain Honge trees in Settihalli, Kolar Dt.

Incl. Revd. Appeal

W D 1351—GPE—20,000—12-12-15

Office note for [illegible]

Revenue Department.

Office Note.

Subject:— Claim of one Bellappanavara Mooneappa to the Hariyé trees standing on a portion of the water-spread of the Soniambudi Agrahar tank, Kolar Taluk.

Reference:— Kolar Deputy Commr's letter No. 1813/462 & 11th Novr 1905.

Major No. 146, Extent 4 and 8/8 Kolagas assessed at Rs. 4/5/8 of the Settihalli village in the Kolar Taluk, is in the occupation of one Bellappanavara Mooneappa. His and certain other Ranjar lands were brought under Kharab ~~assignable to their lands~~ ~~in accordance with the Rules~~ ~~in force in Agrahar tracts~~, at the Survey Settlement in 1889-90, included in the water-spread of the tank & formed into one Survey No. 87.

In April 1839, the said V
Moncaffa and another
Papé fonda represented to
the Survey Superintendent
that the Mango trees standing
on their Lands (included in
the water Spread of the tanks)
were planted by them long
before the Survey Settlement,
& that therefore the right to
such trees should be con-
veyed to them. The Survey
Supt referred the Petrs to
the Rev: Authorities. In
August 1839, the aforesaid
individuals preferred their
claims to the Gov.mt,
who called for a report
from the Amildar. In
January 1840, the Amildar
submitted a report to the
effect that Mogi No. 46
appeared to have been
granted to Bellappa-
vara Moncaffa on
Kandayam tenure in the
year Rowdri & certain
other Land to Papé fonda
on the same tenure in the
year Sowmyakki & that

† Please see paper No. 5 of the enclosure.

† Please see paper No. 1 of the enclosure.

† Paper No. 2 of the enclosure

Exhibit 11

Exhibit 12

the existence of trees on these lands was not mentioned in the accounts of the year Siddharthi; and also, a Mahazar executed by 13 persons supporting the claim of B. Mooneappa to the trees on his land — The Agent informed the Auditor that, as the land had been included in the water-spread of the tank by the Survey Settlt, it could not therefore be assessed again; and enquired if the Petr would agree to take off the trees on a valuation to be fixed by Panchayetdars. In the meantime, some other persons, who had relinquished lands before the Survey Settlement, also put in their claims to the Mango trees standing on such lands included in the water-spread of the tank.

2. In May 1892, the Auditor, referred to* that

* Paper No. 5 of the enclosure -

that Officer
Commr. for disposal, ~~who~~ passed the following order
× English order, last page of paper no. 3 –
"B. Mooneappa who did not resign the land as the others did, cannot on any account be deprived of the trees which stood on his land for which he has been paying Kandayam from a long time. Now the land gets included in the waterspread of the tank & cannot therefore be available for cultivation all the year round. He must be allowed to enjoy at least the usufruct of the trees. Depriving him of the usufruct even would be thoroughly unjustifiable". —

3. In August 1892, one Chikka Somegowda & another Bujjannanatapanna complained to the Dn Commr. against the aforesaid order of the Dy. Asst Commr, and stated that B. Mooneappa was only raising dry crops on his land, that he never planted any konge trees thereon
× Paper no. 26 of the vernacular file –

that there were no Hongé trees on the said land, but that on one Kolaga Pt land included in the Link bed, Hongé trees have grown up from the seeds that were brought down by the rush of water, that villagers never planted and reared up these Hongé trees and that therefore all the Kandayem paying ryots should be allowed to take the leaves of these trees. Thereupon the Dr Mounst. called for a report on the following heads: —

(1) Is the land No. 146 (map) identifiable?

(2) What crop is shewn in the Pahani as having been raised in the said land?

(3) Is the Mahazar a genuine document?

(4) How many such claimants are there in the village? what extent of lands is owned by them? When were the lands resumed to Govt

× Paper no. 28 -

except B. Moncaffer, the others who lay claim to the Mango trees, had resigned their claims before the Survey Settlement, that Maji no. 46 had not been resigned by B. Moncaffer, that this land was not liable to Subversion, that the Mango trees standing thereon were not mature enough to yield any produce, that they stood beyond the [deleted] Koor of the Somalindi Agraharam limits, that he could not get the trees valued by Panchayetdars owing to there being two factions parties in the village, that according to his own estimation the value varied from 200 to 250 Rs. that the trees could not have come to existence of their own accord, but must have been planted by myself. The Govt having transferred the above reference to the Treasury Asstt.

relation the no of trees standing on them.

+ Paper No 36

4. From the Amildar's report the following facts are elicited:—

1st query of the Commr — the land (map i no. 146) is identifiable. Shankoge Venkataraya & certain other villagers who have attested the Mahazir resp. State that they can well identify the land - 1860-61 1864-65 From Ombri to Kalitalai.

Please see the deposition taken by the Amildar Paper No. 31.

2d query - The land in question was under Betagi cultivation. In the year Kalimakali 1864-65 the land was given to Kote Bellappa on Kandayam tenure. From that year upto Virodhi 1869-70 the land continued on the same tenure. What crops were raised from the year Kalithakali to Angeersa 1870-71 1872-73 cannot be ascertained, as the records relating to that period have been destroyed - From Srimookha to Krodhana 1873-74 1883-84 under the land was dry cultivation. Hongé trees appear to

Please see the Patami Memorandum Paper No 30

have come into existence
for the first time in the
year Eswara. In the
year Sarvadhari, i.e
the year previous to the
Survey Settlement, there
appear to have existed
150 Mirasi heirs on the
land in question —

3rd Query as to the genuine
-ness of the Mahazar.

All those who attested
the Mahazar sworn (ex-
cepting a few, 3 of whom
2 are dead, 2 very old, & 2
are the complainants) testi-
fy to the truth of the
facts therein mentioned
of the complainants, Periya
says that he did not
know that the Mahazar
was executed with reference
to B. Moonesha's claim,
that he was under the
impression that it was
drawn up in connection
with some contentions of
certain villages as to their
hak to the Mirasi Taxes

Please see the
description
taken by the Sundar
Papers No. 3.

& Papiamma.

9 in the village, that when
he signed the complaint
petition, he thought that
the land in dispute
did not belong to Meneaffa
that, it is now said that
the account supports the claim
of B. Meneaffa, the land
to such trees may be con-
-veyed to him - Some [illegible]
the other complainant, states
that he did not attest
the Mahazar, & that
he signed the petition
with the object of obtain-
-ing the trees on Kandayan
that he has no objection
to the trees being made
over to him if he is entitled
to them.

† B. Meneaffa

4th Query - There appear
to be 6 such claimants,
of whom B. Meneaffa
had not entirely relin-
-quished his lands -
All the lands forming
the main Spread of the
land are brought under
Cultivation at the Survey
Settlement - There appear

Please see
page
no 34 -

753

to be ~~[illegible]~~ trees (both small & mature trees) in all standing on the water spread of the lands (S. No. 87). 500 trees belong to the individual in question -

B. Moncaffa.

The Auditor also reported that he personally inspected the lands comprised in the water-spread of the lands in Sept. 1891, and identified B. Moncaffa's land. Marks of identification are given in his report.

Please see former B proceedings

5. On receipt of the above report of the Auditor, the Commr. passed the following order and directed that B. Moncaffa be allowed to take only dried and fallen trees in consideration of his having planted & reared up the trees that the remainder (remaining trees) be sold as Govt. property, & that if he wanted large

Please see former proceedings

leaves also, the same be given to him at 1 3/4 Rs. for every 100 trees as a temporary measure - He further directed that the other claimants need not be allowed such concession, as they had resigned their lands prior to the Survey settlement -

(18)

6. B. Mooneappa prays for a reconsideration of the aforesaid order of the Government & requests that he may be permitted to take also the usufruct of the trees, on payment of the Kandayam of Rs. 4 f/8 hitherto levied from him, on the following grounds.

(1) That the land (with the trees) was in his enjoyment upto the Survey settlement.

(2) That he did not resign the land as others did.

(3) That the villagers admit his claim to the trees.

(4) That he has spent a large amount in raising the trees.

(5) That he has been contending in the matter from the time of the Survey settlement

Please see paper no 2 in the last portion of the file —

7. The Dy Commr Submits the case for orders, with his opinion in favor of Shewing the concession asked for by B. Mooneappa

10

13

8. The following points are Submitted for consideration and orders:-

(1) That B. Mooneappa was in the enjoyment of the land & the trees thereon up to the Survey Settlement is proved by oral & documentary evidence.

(2) The complaint made by Sonné Sowda & Papaiya is vexatious & frivilous.

(3) B. Mooneappa has agreed before the Amildar to abstain from cultivating the land, taking only the usufruct of the trees standing thereon & paying Kandayen thereof.

~~It is respectfully submitted that the above circumstances this application be rejected.~~

~~but~~ Before passing final orders

× Please paper No. 14 of the Ver. file -

orders, the Superintendent Revenue Survey may, if approved, be requested to favour the Government with his opinion in the matter.

Submitted for orders.

H.D. 16/12/95

M 31/12/95

The first item would be in respect to the Canal & that it is unnecessary as the District understanding that he should grant no more licenses but should simply carry the arrangement on it. [illegible]

[illegible]

[illegible] Secretary to the Government of Madras

16/12/95

towards the village
plan with the
landreferred to
as containing the
trees planted
by Moonesabha.
marked clearly
correct
~~correctly~~ information
regarding the
numbers
the values of
the trees standing
on said land
& the Dy Comrs
opinion as to
on account of
why the trees
~~they~~ a fair
compensation
should not be
given away
one fourth
to Moonesabha
& his title or
claim for consideration
not at rest finally

MMS

27.1.96

Collector
Panruti
29/1/96

Dr. to be B.D. 29/1/96

Transcription (as corrected)

The foregoing evidence was communicated to the Forest of the Island District in this office docket No 6970 dated R 2705 31st January/96.

The Commissioner now submits the Village map marking thereon the land A containing the trees included in the sale of the land, with Manager, from which it would appear that there are on the whole 916 trees valued at Rs 100-8-. (including the stone fruit) and states that he has no objection to a fair compensation being paid to Municipality as suggested by Government.

Submitted for orders.

25/6/96 — 26/6/96

Submitted.
As Executive asked for the above information.
dated 3rd Oct 96

1-7-96

x

Mango	900
Kuri Jaki	7
Bili Jaki	6
Araki	2
Pear	1
Total	916

The compensation may be sanctioned and the cleaning of Mango also finally settled. Urgent

11.7.96

11-7-96

Received in the Secretariat 11th July 1896

In J.P No 628-30 & 16/7/96
R 256

orders were accordingly issued
sanctioning the payment
of a compensation of Rs 100-8
to Munesappa in final
satisfaction of his claim

Munesappa applied twice
for a reconsideration
of the above order & for
the recognition of his
right to the unexpired
of the lease; but the
Govt rejected his application
on both occasions (vide Govt Nos 5 & 7 of 1900 pencil file)

Munesappa having subsequently
complained in his petn of
4/7/01 (Govt No 9, pencil file)
that the Govt had
been delaying the disposal
of his petn, the petn
was sent to the Govt

15

for early disposal
by end.

(18)

2. In his letter d 29/9/95,
No 539, the Dy Comr
reports that Muneappa
has not yet received
payment of Rs 100-8
sanctioned in 1896 and
recommends that, as
asked for by Muneappa,
the usufruct of the
trees ~~[illegible]~~ may be
granted to him, the
compensation being
withdrawn. This
recommendation is
merely a repetition of
the Dy Comr's letter
d 11/11/95 (S No 1 specified)

and the Govt having
declined to sanction
it on three occasions
it is not clear why the
Govt repeats it

2/11/02

Sec 4.

For the Council Comm

14/11

Post for hearing

14/11/02

The claim is to enjoy
the usufruct of the trees
on the land. This is
(partial) occupation of the
land & I thought that it
might be regarded as
falling under cl. e (res-
pecting the occupation
of waste or vacant land
belonging to Govt). I was
however diffident (& am
so still) of my being correct
but thought it best to ob-
tain orders by setting it
down for hearing.

24/2/1903

17 As it has now been decided that this is not a Coastal case, this is sent for orders on the merits

Hm 26/2/03

28/2

The Dewan through the 1st Councillor

Rec 5/3/03
Camp Shimoga
933

Please draft an order declining & alter the order already passed by

Hm 11/3/03

Route

Ajt-pro put up
A/B 12/3/03 Hm

The Dewan through the 1st Councillor

Rec 26-3-03
#29.

I think this is not the correct order I would pass an order in accordance with the Dy C's recommendation declare the land with power binding him not to cultivate it in which case the land could be resumed. A security should be taken from him

Hm 6/4/1903

12

To the Dew

7/4/03

1181

9603
7.4.03

The question in my opinion resolves itself into one of terminating the fixed rent to be imposed for a fixed consideration. It has no reference to the land whatever - & the fragment is something like annoi, or ~~stated by the D.C. Court~~ a fixed annual payment for the enjoyment of the produce from Forge trees only - He will have no right to the grass growing on the land &c. There is no occasion to alter the order already passed - but if an annual fragment is imposed there are objections to an order as above proposed - ~~as~~ by the Act in lieu of the Tallet No 1813 of the 7th March 1885.

10.IV.03

D.C. 13/4

Let proper steps be taken 15/4

Before the Government of Mysore.

(22)

Referred ~~Appeal~~ Case No. 1 of 02-03

Party.

~~Appellant.~~ Vs. ~~Respondent.~~

Muniappa Son of
Sellappa, Settihalli
Kolar Taluk.

Claim of Muniappa to enjoy the usufruct of the Honge trees on land Survey no. 146 of the said village.

Date of hearing 5.2.03
Notice issued on 26.11.02
+ duly served.

Seen - I am not in town now. I will hear the counsel in case.
11
1/2/03

Submitted to the 1st Cr.
Coll
2/2/1903,

How does the Secy make out that the case for Council & why did not Dr Iyengar file it. Is it proposed to reconsider the order of Govt passed in
5/2/903 1896

This is another case in which I invite the Counsel as to whether I can competently

20

95

20th ult.
Nap an order on participate in the
Nonpayment of one under the Notification
of 8th August 1902.

This case has more than once
been before Council since 1895 -
The several orders it were proposed by the
the previous Secretary without reference to Council - On 26th
January 1898, the Assistant Secretary
opined that this was "not a Council
case". Nevertheless for the first
time now the Secretary has ordered
the present reference to be placed
before" the Council Committee " I am
this
not understand. I do not
think it is one of the matters which
under Para 12 of the Notification
of 12th August 1902, comes within
the cognizance of "two Members of
Council".

May I solicit the favour of a
ruling on the subject before
expressing my opinion on the merits

Yours sincerely

15/2/03

91

Referred Case No: 1 of 1902-1903.

Subject:- Claim of Muniappa to enjoy the usufruct of the Honge trees on land Magi No: 146 of the said village.

.....

Second Councillor's Note.

This is another case in which I entertain a doubt as to whether I am competent to pass an order or rather to participate in the passing of one under the Notification of 8th. August 1902.

This case has more than once been before Government since 1895. The several orders on it were passed by the Government in the Revenue Department without reference to Council. On 26th. January 1898, the Assistant Secretary opined that this was "not a Council case". Why nevertheless for the first time now the Secretary has ordered the present reference to be placed before the "Council Committee" I am unable to understand. I do not think it is one of the matters which under para 12 of the Notification of 12th. August 1902, comes within the cognizance of "two Members of Council".

May I solicit the favor of a ruling on the subject before expressing my opinion on the merits ?

17-2-03

R. 16/2/03
Night
872

I agree
17/2/1903

I quite agree - this is not a matter for Council - the Secretary's views were perhaps unfortunately misunderstood

23.II.03

Gen. 31.]

REVENUE DEPARTMENT
Gl. No. 3373
Ad. 2571
1895 24 NOV. 95
DEWAN'S OFFICE

From The Deputy Commissioner
Kolar District

To Revenue
The Secretary to the
Government Dewan of Mysore.

Section Land Revenue
24/11/95

Dated 11th November 1895

Despatched 13th Do.

Received

General No. 1813

No. 462

Enclosures No. Nil

Soliciting certain orders in connection with Survey No. 87 of Shettyhally Village Kolar Taluk

Order
Mr Acting Secretary
to Govt. Revenue
Mines Ver: papers
Mr 24/11/95

Submitted for information
BZ
16/12/95

M
31/12/95

Drafted
7/1/96

Kolar, Deputy Commissioner's
Office
Dated the 14th November 1895

To,

The Revenue Secretary to the
Government of Mysore.

Sir,

I have the honor to state that land
to the extent of 4 Kolagas and 15 3/4 guntas
out of Survey No 87 of Sheltahalli village
Kolar Taluk forming a portion of the irrigated
spread of the Sonnambinahalli anicut Tank
was in the occupancy of one Bellappa Canarese
Munisappa prior to the survey settlement, and
prior to the payment of an annual assess-
ment of Rs 2-8-8 but the same was during
the settlement which took place in Fasli
(1889-90) added on to the Seri of the said
land and struck off the occupant's Khata
which his father and himself successively
held since Fasli 1264 (1854-55).

2. A large number of Surge trees were
planted by the above named individual
on the land in question.

On

3. On a complaint by the Ex-Secretary to the Treasury, the Assistant Commissioner decided that the Lessee should be allowed the usufructuary dead wood of the trees reserved by him but in appeal the Provincial Division by ordering, that the Major Klareaar should only be permitted to take Callumand dead wood from the trees the Province hereof being annually sold on account of Government.

4. Bellappamawara Kumapila who neither resigned the land nor was paid any compensation for its resumption has applied for a review of my order and as on a reconsideration of the circumstances of the case I am of opinion that he may in fairness be allowed to enjoy the trees as long as they exist subject to the payment as a rent to the Crown of the assessment levied from him before the survey settlement. I have deemed this reference necessary and solicit the orders

of

of Government in the matter. 3

5. The memorandum records considered in the case as per accompanying Serial are herewith submitted for further reference and obliging perusal when no longer required.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner
Naturalization.

4 Draft as corrected

Gen. 30.] 189 (2)

From The Revenue Secretary to the Government of Mysore.

To

The Commissioner Kolar District.

Dated 31.1.96

Despatched 3-2

Received

General No. 6970

No. R2705-

Enclosure No. 1 Note

Section Land Revenue
Date 31/1/96
Serial No. 2

His letter No. 15.8 dated 462
1.1.96 forwarding proceedings of meeting held on connection with survey No 37 of Settihalli village in the Malur taluk treated as tank bed land claimed by one B. Munipa account of certain improvements planted by him.

In returning the papers received with the above for reference & remarks I have the honor to request that the Commissioner will be good enough to submit the village map showing clearly marking

thereon the land referred to
as containing the trees
counted by Municipal
and to report the correct
number and value of such
trees, in his opinion as
to why on account of the
trees, a fair compensation
should not be given once
for all to Municipal and
his title for consideration
Sch at next finding.

Approved
31/1/96
Recorder

29/1/96

6 Gen. 31]

REVENUE DEPARTMENT
Cl. No. 8914
Dy. No.
189 6 JUN. 96
DEWAN'S OFFICE.

(3)

(31)

From The Deputy Commissioner
Kolar District

To The Secretary to the Govt
of Gobichettipalayam Revenue Depart

Dated 28th May 1896

Despatched 29th do.

Received

General No. 4531
No. 1265 ✓

Enclosure No. 1 file

Furnishing further particulars in connection with Survey No. 87 of Lakkahalli in the Kolar Taluk

Rev Dept
1-6-96

Ref. to patrip.

Submitted Memo in continuation.

25/6/96

Deputy Commissioner's o
Kolar District. Dated

(32)

To.

The Secretary to the
Government of Mysore
Revenue and General Depar

Sir

Adverting to your docket No
dated 31st January 1896 calling f
the particulars in connection with
No: 87 of Settehalli village in the K
Taluk treated as tank bed but c
by one B. Muniappa on account o
certain Honge trees planted by hi
I have the honor to submit the acc
panying file of papers received w
the Amildar's Varzi No: 1428 dated
instant to which is attached the vi
map showing the land in question
(marked A).

2 It will be observed from
same that the land contains 916 tr
of which 900 are Honge and that the

have been valued by a Panchayetdar which includes Rs 4-8-0 being the value of a stone fyab (Rateh). Sriniwasa the claimant of the tree has accepted the correctness of the enumeration and valuation thereof as will be seen from a note under his signature at the foot of the Panchayet Inahaya dated 16th April 1921 filed with the enclosed records.

2 I see no objection to a fair compensation being paid to Sriniwasa for all on account of the tree and his title for consideration at a next finally.

I have the honor to be
Sir
your most obedient servant
Narayanayya
Dy Deputy Commissioner
Kolar District.

Draft proceedings

(4)

Read:—

Correspondence ending with letter No. 4531/1265 dated 28th May 1896 submitting further report in ré claim of one Bellappanavara Mooneappa to the Honge trees standing on a portion of the water spread of the Somanbudi Agrahara tank, Kolar Taluk.

Order thereon:—

Maji No. 146 measuring 4 and odd Kolagas of land and assessed at Rs. 4/5/8 in the Settihalli village, Kolar Taluk, was in the occupation of Mooneappa for a long time. During the Survey Settlement which took place in 1889-90, this land and certain other Bagayat lands were brought under the assessment and

Section Land Revenue
File No 271 of 95
Serial No 4

B 623-30 1.6.7.96
P 25 / Vide file

in number and valued ||

~~at Rs. 100-8-0~~ @ by the Sandhayak - @ including the cost of a Stone pial, £4-8-0

- dated Rs 100-8-0 @

2. Under the ~~foregoing~~ circumstances, Sanction is accorded to the payment of the compensation of Rs. 100-8-0 to Moineappa in final & full Settlement of his claim ~~for the trees standing on a portion of the water spread of the Emandar Agrahar tank in Gretur~~ -

16/7/96

15/7

Secretary.

Jo. 15/7/96

Mercy Comm^r

Kolar Dist^t

with the records.

Comp^t.

Survey Supdt. for information -

(that Mooncaffa be allowed
to take only dried and
fallen trees in Consideration
of his having planted them,
the manure being Sold
as Govt property. Moo-
-neaffa ~~[illegible]~~ having
applied to the Dy Commr
for a reconsideration of
his order, ~~the Dy Commr~~ that officer
recommended to Govt that Moone-
-affa might be allowed
to enjoy the trees as long
as they existed subject to
~~the~~ payment of the
Kandayam levied from
him before the Survey
Settlement. But in reply-
to a reference made by
~~Communication from~~
this office, the Dy Commr
now reports that there is no
objection to a fair com-
-pensation being paid
to Mooncaffa on account
of the trees claimed by him
which are stated to be 916 ⊗

⊗ 900 Honge & 16 other kinds of trees.

in

and included in the water-
spread of the Tt Somanhundi
Agraharam tank, which was
formed into Survey No. 87.
Subsequently Mooneappa
preferred his claim to
the Mongé trees standing
on his land included in
the water-spread of the
tank on the ground that
they were planted by him
long before the Survey
Settlement. On enquiry,
the Treasury Asstt. Commr
recognized the claim of
Mooneappa and ordered
that as the land, which had
been included in the
water-spread of the tank,
could not be made avail-
able for cultivation all
the year round, he be allowed
to enjoy the usufruct of
the trees. But the Dy Commr
altered the Treasury Asstt
Commrs order and directed

To Deputy Comr for early disposal by order

12

19.7.01

Affirm
Finfor
Endorsement
of Lg 22/7

(9)

190/

No. 98

Name of Petitioner Harishchandra Ganesh Belleyar

Village Letpandi

Taluka
District } Kolaba

Date of Arzi 4-7-01

Date of Receipt 9-7-01

Date of Disposal

No. of Enclosure Nil

Section Land Revenue
No. 291 of 1901
Serial No.

ABSTRACT

The petitioner states as follows:—

As the petitioner has not yet received any reply from the Collector to the petition dated 22-6-01 he has addressed this petition to you.

In the year Samvat the petitioner's father got Rs. given the land survey No. of Letpandi, Kolaba Taluk. He

MGCPB—23-3-01—3,000.

planted at Benga hills on it,
and paid the Kanakayan
Rent till the Survey Jama-
bandi of the year 1820.

During the Survey Jamabandi
the said land was taken up
for the watershed area of
Venumbadi Anamikere tank
No 57. The petitioner has
since been ending up
petitions, but no just orders
have yet been passed.

The petitioner was not made
to pay up the Kanakayan. Nor
has he relinquished it. He says
all he owns is Kanakayan Inam
Estates. If his pet lands
are not restored, he can give
no dayo return. He sends up
several petitions both to the Collector
and the Rt: Hon, praying for
permission to take the earth
of the Benga tree planted by him
and also the dead hills. ~~He~~
~~4-5-92~~ ~~Received~~ He
received order No 53 dated
4-5-92 permitting him to do so.

He has been enjoying the crops from Rowdri - the year in which the land was obtained for Kandayam.

(17)

He hears that, on the complaint of his enemies, an order has been passed that he should make over the trees to Govt on receiving Compensation. He submitted a counter petition stating that he did not want any compensation, and that he did not cultivate the land, and praying that he might not be deprived of his hak to the trees. He has received no order in reply.

He prays for the cancellation of the order directing that he should make over the trees, which he reared up at great cost, to Govt on receiving compensation therefor; and that he be permitted to take the crops and dead trees as before, and that an order be issued

16 Pet 175

(10)

Received 24-7-1901

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

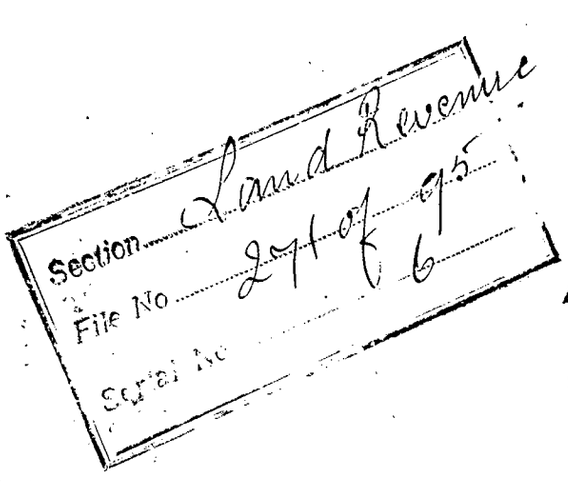
OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ Petition

Registered No. 98 dated 4.7.01

received at the Dewan's Office from

Munesha son of Bellap
of Settihalli, Kolar Talu
praying that the Khoraj
trees planted by his fa ther
in Sy No. 87 may not be
taken up by Govt &c &c.



is forwarded, ~~together with its enclosure,~~ to the Commissioner of the Kolar Dist for early disposal by such

By order,

Secretary.

BANGALORE,

24/7/1901

24

24/7

Pet 175 Regd No: 398/90 of 901-2

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition

Registered No. 98 dated 4 July 190[illegible]

received at the Dewan's Office from

Venkatappa son of Ramappa of Kattenalli Kolar District praying that the Range trees planted by his father in Survey No 87 may not be taken up by Govt &c

is forwarded, ~~together with its enclosures,~~ to the Deputy Commissioner of the Kolar District, for disposal by endorsement.

By order,

Secretary.

BANGALORE, 24th July 1906

Memo No: 184 Dt:1

Copy sent to the Deputy Commissioner Kolar for disposal

27-7-06.

To The Tahsildar & Amildar of Kolar

with reference to the enclosed petition

No 1858 of 06.

Reminder sent 9.10.06.

2. It would appear from a perusal of the records that this land which was under occupation up to the Survey settlement was brought under khanda and included in the watta-spread of the Soman-budi Amanikere.

On Petitioner's complaint Mr. Maidian, the then Deputy Commissioner, recommended to Government that Petitioner may be allowed to enjoy the trees so long as they existed subject to the payment of Kandayam levied from him before the Survey settlement, and in the correspondence that followed, the Government sanctioned the payment of compensation amounting to Rs: 100-3-0.—

3. The Petitioner Muneappa has not received the Compensation fixed and, requests that he may be permitted to enjoy the usufruct of the trees as first

34

Rec'd 27 Sept 1902

Encl 29/11/02

Regd. No. 3698. 1902

From J. C. Carr
Deputy Commissioner
Kolar District

To
M. V. Narayanaswamy
Secretary to the
Government of Mysore

Section Land Revenue
File No 27 of 95
Serial No 4

Dated 28 September 1902.

Despatched 29

Received

General No. C. 539
No.

Enclosure No. 19 file

Reporting with
reference to the claim
preferred by one
Meenakshi of Settle-
halli, Kolar Taluk for
certain Mango trees
standing on S. No. 87 of
the said Village. ve

Peti
3.10.02

Genl Records
Please put up Govt Orders
Re: 628-30 of 16-7-96.
R. 286.

All
4-10-02

MGCPB—3-3-01—50 reams.

N.C. 539
R.O. file

Kolar Deputy Commissioner's Office
Camp Kidlaghetta
28th September 1902.

From,

(45)

J. B. Carr Esqre.
Deputy Commissioner
Kolar District.

To,

M. V. Narjimmayya Esqre.
Secretary to the Government
of Mysore, Revenue and
General Departments.

Sir,

With reference to your No. Rev. 175-
dated 24th July 1901 forwarding
for disposal a petition from
Muniappa of Settihalli Village in
the Kolar Taluk, I have the honor
to state that the claim preferred
by the Petitioner for the honge
trees standing on S. No: 87 of the
said Village is under correspondence
since 1891, and the Government
have recognized the right of the
petitioner and ordered the payment
of Compensation Vide their Proceedings
No. 628-30 / R 256 dated 16th July 1896.—

recommended.—

19

4. As the object of Government in resuming the land from the possession of the petitioner is to prohibit him from cultivating the land himself, and as the petitioner is willing to enjoy the assignment without cultivating the land himself keeping the Inam assessment, I consider that he may be allowed the same rights as holders of Ryotwari lands.—

5

The entire records together with Assistant Commissioner's Memorandum dated 9th July 1902 are submitted for reference and obliging return.

I have the honour to be
Sir,
Your most obedient servant

Collector
Assistant Commissioner
Kolar Division

brought under submersion by the restoration of the Sonnaambudi Agrahara tank and was treated as Kheravb at the time of the Survey settlement which took place at about the same time as the restoration of the tank. In August 1909 the petitioner Muniappa and another man Papegowda petitioned the deputy Commissioner praying that they might be allowed to take the leaves and produce of the Hange trees on Maji nos. 14 and 77 respectively, as they had themselves planted the trees before these lands were brought under submersion by the restoration of the tank and treated as Karab during the Survey Settlement. Some of the villagers however (Sannegowda, Bellappade) petitioned to the Amildar objecting to the free grant of the Hange leaves to the land in question to Muniappa (Petitioner)

Regd No. 204 of 1902-3
147

From 190

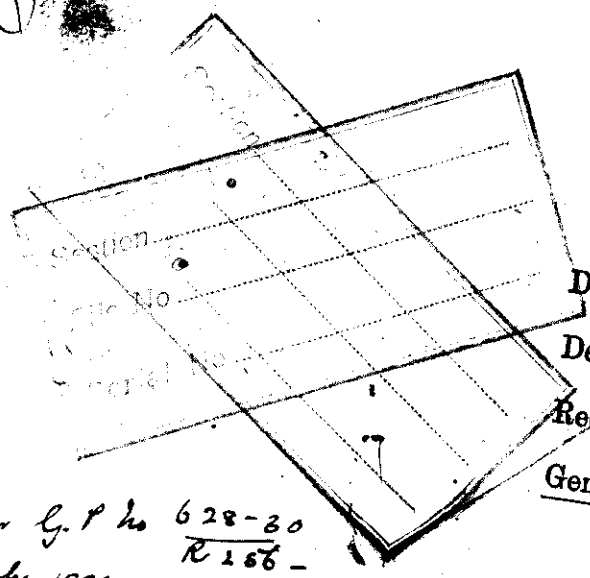
K. R. Sreeniwasaiengar Esquire
Assistant Commr. in charge of
Kolar Taluk, Kolar district

To

F. E. Cleaver Esquire
Deputy Commr.
Kolar district

Dated 9th } July 1902
Despatched
Received

General No. 57
No.



Plan enclosed for G. P. No 628-30
R 156
Dated 16 July 1896 and
correspondence on the subject
noted in margin

Enclosure No. 1 file 9

Re the claim to Hangal tree in the Settihalli village by one Munivappa son of Bellappa, Kolar Taluk -

Recd
12-7-902
AM

(9)

Asstant Commissioners Off
dated Kolar 7th July 01

(49)

From K. R. Sreenivasa Iyengar Esqr
Asstant Commr in Charge of
Kolar Taluk Kolar Distrct

To F. E. Lewis Esquire
Deputy Commissioner
Kolar Distrct

Sir,

With reference to your memo no 184 dated 27th July 1901 forwarding for disposal a petition from Muniappa son of Bellappa of Settihalli, Kolar Taluk received from the Dewan's office with no Pet/175 dated 24.7.01, I have the honor to submit for your orders the entire records in the case and to report as follows:-

Anaji no 116 in the village of Settihalli in the Kolar Taluk formerly stood in the holding of petitioner Muniappa. It was brought

The Amildar, to whom the petition of Muniappa and Papegowda was sent by the Deputy Commissioner for report, made the necessary enquiries and reported that Maps nos 141 and 77 had been in the holding of B. Muniappa and Papegowda from the years Nowdne (1860) and Fasli (1862) respectively, that the Hongé trees on the said lands had been planted by the claimants themselves and that the above lands were brought under Kharab during the Survey Settlement owing to their submersion by the Somavanthadi Agrahara Tank (vide his report no 278 dated 31.1.1901 On a further order issued by the Deputy Commissioner the Amildar (in his no 1276 dated 1.5.1892) again reported that the two petitioners, Papegowda had resigned his land (Maps no: 77)

prior to the Survey Settlement but that B. Muniappa retained the land in his holding till it was brought under Kharab on account of its Submersion. This report having been received by the Assistant Commissioner Mr. K. S. Sivaswami Iyer who was in charge of the Taluk he ordered that "a Bellappanavara Muniappa who did not resign the land as the others did cannot on any account be deprived of the trees which stood on his land for which he has been paying Kandayam from a long time. Now the land gets included in the water spread of the tank and cannot therefore be available for cultivation all the year round he must be allowed to enjoy at least the usufruct of the trees. depriving him of the usufruct even would be thoroughly unjustifiable" (vide order no 537 dated 14.5.92).

2 Against this order Chuchka Sonne-
gowda and Appakutte Pafanna appealed
to the Deputy Commissioner on 27.8.92.
The Deputy Commissioner (Mr C. Madiah)
thereupon obtained a full report of the
case from the Amildar and, reversing
Mr. K. S. Doraswamy Iyer's order, directed
that B. Ramiappa should be allowed only
the right to take dead-wood & fallen
branches from the Honge trees on the
land in question and that he should
not be allowed the right to the produce
and leaves of the trees though he might
be given the preferential right to
purchase the Honge leaves on the land
at the usual rate of Rs 1-12-0 per 100
trees. With regard to the other persons
whose lands, with the trees thereon, had
also been brought under submersion the
Deputy Commissioner rejected their claims

claims to the trees on the ground that they had themselves resigned the lands before the Survey Settlement. In September 1895 B. Munisappa put in a petition to the deputy Commr. praying for a reconsideration of his above order. On this the deputy Commr made a reference in the matter to Government and on the order passed by Government in their proceedings No. 69-8-30 / R 256 dated 16.7.96 directed the Amildar to pay a sum of Rs 100-0-0 to Munisappa towards the value of the trees and the Stone rachi on the land and to reserve the trees entirely to Government (vide order No 86 dated 29-7-1896). The Amildar thereupon issued notice to Munisappa to receive the amount but on his refusing to do,

the matter was reported to the Deputy Commissioner. The Deputy Commissioner replied ordered the Amildar (Order No. 9 9-10-1896) to inform Munisappa that he would loose both the money and the trees if he failed to receive the payment.

3. On this Munisappa has presented petitions to the Deputy Commissioner and the Government praying for the recognition of his right to the trees.

4. On receipt of your order forwarding for disposal the petition of Munisappa to Government; I secured the presence of Munisappa before me and asked him if he was prepared to receive the amount offered to him for the land. He said that he was not willing to take the money and requested that he may be ...

allowed the use of the Hinge leaves on the land as he had himself planted all the trees. He has stated that he is if so ordered, even prepared to pay the assessment on the land without Cultivating it if only he is given the right to take the Hinge leaves. I herewith Submit the Statement which he gave before me in the matter.

I have the honor to be
Sir,
Your most obedient Servant
Wilmans
Assistant Commissioner
In Charge of Kolendo
Kolendobrist

Submitted herewith
[illegible]
12/

(2) Excel Assly

Before me

Advocate

21/6.

2 drafts

Proceedings of the Govt of
H. H. the Maharaja of Mysore

2-D

14

Read again
Govt - proceedings
No 623-30 d 16-7-96
R 256
Sanctioning the payment
of a sum of Rs 100-8-0
as compensation to Bellappa-
navara Mooneappa, in final
and full settlement of his
claim to enjoy the usufruct
of the Honge trees on Land
Survey No 146 of Settihalli
Village, Kolar Tk.

Read
Letter No C. 539 d 23rd
Sept 902 from the Dy. Comr
Kolar-Dt reporting that
Mooneappa has not as yet
received the compensation-
amount and recommending
that the latter may be per-
mitted to enjoy the usufruct
of the Honge-trees standing on
Survey No 146 of the village,
the order directing the
~~Govt~~ payment of the com-
pensation being withdrawn,

Order Thereon

The Govt are pl

Section Lands & Revenue
File No 2-7-10 Q 5
Serial No 8

No 1465
C. 141-02 d 21.4.03.
Em IV file.

to sanction the recommendation
made by ~~the~~ the ~~Govt~~
Dy. Comr (Kolar District) in
his letter No 1813/462 dt 7th Jan 1895
and direct
~~to the effect~~ that at ~~the present~~
Bellaghanawara ~~Muttappa~~
~~may~~ be allowed to enjoy the
toddy
trees as long as they exist
subject to the payment
of ~~a~~ the annual assessment
~~of Rs 4-8-0~~ levied from them
before the Survey-Settlement.

Municipal will have no right
to the grass growing on the land

7/4
Secretary

15/4/03

To the Dy. Comr of the
Kolar ~~District~~ Division for records

Issue
15/4/03